

Issued April 9, 1913.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2140.

(Given pursuant to section 4 of the Food and Drugs Act.)

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### ADULTERATION AND MISBRANDING OF WITCH-HAZEL.

On April 27, 1912, the United States Attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one barrel of distilled witch-hazel remaining unsold in the original unbroken package and in possession of J. Lang & Co., Baltimore, Md., alleging that the product had been shipped from the State of Pennsylvania into the State of Maryland and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "To Lang & Co., Baltimore, Md., Tunkhannock Distilling Co., Manufacturers of Double Distilled Witch Hazel., Tunkhannock, Pa."

Adulteration of the product was alleged in the libel for the reason that, while it was sold under and by a name recognized in the United States Pharmacopœia, to wit, distilled witch-hazel, it differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia official at the time of investigation, in that said product did not contain any ethyl alcohol. Misbranding was alleged for the reason that the product was an imitation of and offered for sale under the name of another article, to wit, witch-hazel, in that it did not contain any ethyl alcohol, and further because the package containing the product although containing methyl alcohol failed to bear a statement of the quantity or proportion of alcohol contained therein.

On June 15, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal.

WILLIS L. MOORE,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *December 23, 1912.*